

SALVADOR REYES, )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 11 C 1872  
 )  
 SUPERMERCADO LA VILLA, INC. )  
 and CIRINO VILLA, individually) )  
 )  
 Defendants. )

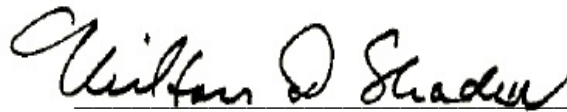
Supermercado La Villa, Inc. and Cirino Villa have filed their Answer, including a single affirmative defense, to the Complaint brought against them by Salvador Reyes (who sues as a putative class representative as well as on his own behalf). This memorandum order is issued sua sponte because the Answer includes multiple instances of two errors that need to be corrected.

Second, a substantial set of the Complaint's allegations have been met with Fed.R.Civ.P. 8(b)(5) disclaimers,<sup>1</sup> but those

<sup>1</sup> Virtually all of those disclaimers are in proper form, but the one set out in Answer ¶ 11 is not. Accordingly, as stated at the end of this memorandum order, that error will have to be corrected.

disclaimers are inexplicably (and incorrectly) followed by denials. That is of course oxymoronic--how can a party that asserts (presumably in good faith) that it lacks even enough information to form a belief as to the truth of an allegation then proceed to deny it in accordance with Rule 11(b)? Accordingly that denial language is stricken from Answer ¶¶ 12-13, 32-34, 37, 39 and 46.

Because both of the principal errors identified here require only the deletion of language rather than revisions, they call for no amendments to the existing Answer. Accordingly a single amendment, one affecting Answer ¶ 11 (see n.1) is ordered to be filed on or before May 18, 2011.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Milton I. Shadur  
Senior United States District Judge

Dated: May 5, 2011